SANDLER REIFF

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October 27, 2016

Via E-Mail

Jeff S. Jordan, Esq. Supervisory Attorney Federal Election Commission 999 E Street, N.W. Washington D.C. 20463

Re: MUR 7107

Dear Mr. Jordan:

I serve as counsel for Progress United PAC and Joseph Aiken, in his official capacity as Treasurer. A designation of counsel is attached to this response. I write to respond to a complaint filed by Richard L. Defeo, Please note that, although the initial complaint was mailed to respondent on July 20, 2016, the complaint was just discovered in the PAC's mailbox this week.

In his complaint, Mr. Defeo alleges that Progress United PAC has failed to include disclaimers on communications that Mr. Defeo asserts were made by Progress United PAC. In addition, Mr. Defeo alleges that the PAC failed to file 48 Hour reports for Independent Expenditures.

Notwithstanding Mr. Defeo's incorrect statements of law and fact, to date, Progress United PAC has not disseminated any communications in connection with any election. As its reports through September 30, 2016 disclose, Progress United PAC had not yet engaged in any meaningful activity through the end of September.

The activities that Mr. Defeo refers to in his complaint were, in fact, disseminated by Progress United, and not by Progress United PAC. Progress United is a social welfare organization organized under section 501(c)(4) of the Internal Revenue Service that was formed

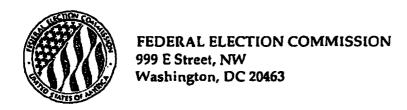
in May of 2016. Attached as Exhibit A, please find the organization's Form 8976 that was filed with the Internal Revenue Service. In addition, the website and advertisements that were created by Progress United were issue advertisements that related solely to activities in connection with a bailout plan of Atlantic City, New Jersey and made no reference to any federal candidate or any election.

Based upon the above, this Federal Election Commission has no jurisdiction over this matter and the communications disseminated by Progress United were not required to comply with any federal disclaimer requirements or file any disclosure statements with the Commission. Thus, the Commission should immediately dismiss the complaint. If you require any additional information, please let me know.

Respectfully submitted,

Neil Reiff

Counsel for Progress United PAC and Joe Aiken, in his official capacity as Treasurer



STATEMENT OF DESIGNATION OF COUNSEL

Provide one form for each Respondent/Witness

FAX 202-219-3923

MUR # 710	<u></u>		
Name of Counsel	Neil Reiff		
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	individual and/or firm is hereby desother communications from the Com		
10/25/16	1- /-		Treasurer
Date	Signature (Responde	nt/Agent)	Tide
RESPONDENT:	Progress United PAC		
	(Committee Name/ Company	Name/Individual Named in Noti	fication Letter)
Mailing Address: (Please Print)	2308 Mt. Vernon Avee	nue, Suite 222	·
	Alexandria, VA 22301		·
Telephone (H): _		_{(W):} 703-591-10)40
E-mail:jaik	en@aikencopc.com		·

This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.

EXHIBIT A

Application Summary			
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Application Detail			
icense Type:	501c4		
Application Number:	30158		
Application:	Form 8976, Notice of Intent to Operate Unde Section 501(c)(4), OMB No.1545-2268		
Application Date:	08/05/2016 (mm/dd/yyyy)		
Organization Detail			
Organization Name:	Progress United		
Tax Number:	***		
Addresses			
Mailing Address Address:	3975 University Drive		
Address.	<u>-</u>		
	Suite 200		
	FAIRFAX, VA		
	22030		
	us		
Phone Number:			
Extension:			
Organization Information			
Date of Organization	05/02/2016 (mm/dd/yyyy)		
State of Organization	Virginia		
Country of Organization	United States		
Filing Year Month	12-December		
Organization Statement of Purpose	Social Welfare / Civic League		
Fees			
Form 8976, Notice of Intent to Operate Under Section 501(c)(4)	\$50.00		
Total Amount Due:	\$50.00		

I attest that the information provided is correct and that I have the authority to submit this information.